Final Assignment – Dimas Hardijanto

Category #2. Option 2: Case Study

Copyright and Creative Commons license in Indonesia.

Indonesian Copyright Act of 2014 (Undang-undang Nomor 24 Tahun 2014 tentang Hak Cipta) is aligned with the TRIPS Agreement, Berne Convention, WIPO Copyright Treaty. and WIPO Performances and Phonograms Treaty, which Indonesia is signatories in these treaties.[1] Copyright Act of 2014 regulates the protection of the creative work, including the economic and moral rights of the authors.[1] The creation that can be protected is based on the Berne Convention with the addition adaptation of traditional works, and Batik is also copyrightable.[1]

However, copyright infringement in Indonesia is still rampant. Total loss from piracy or illegal download of the film is estimated at 1,4 trillion rupiahs (95 million dollars), and a ballpark figure of total loss from music piracy is 8,4 trillion rupiahs (575 million dollars).[2] It is also known in Indonesia that one of the Indonesian YouTube creators (Calon Sarjana) plagiarized the content from the other creator.[3] Academic papers are also pirated. Based on the number of articles downloaded from Sci-Hub, Indonesia is the seventh largest of the download request on Sci-Hub.[4]

Recently, Indonesians already using open access in its publication. In 2017, Indonesia was a leader in open access publishing. A study found that 74% of 20,000 published papers in 2017 with one or more Indonesian authors are released with open access licenses, which include CC licenses. This is caused by those papers are published by universities with minimal costs.[5]

That number is proof if open licenses have a lot of engagement opportunities. Unfortunately, several problems hamper open license usage. One of the significant issues is Indonesian researchers are expected to publish their research in Scopus-indexed journals.[6] This problem happens because the Indonesian government using QS University Rankings as the only primary indicator and QS University Rankings using citation count from Scopus.[6]

Another problem is Indonesian journal editor not used to using CC licenses because they don't want to "lose" ownership of the papers. Sometimes, they are choosing a license without knowing the terms. The editorial seems not to have enough knowledge of CC license terms and understanding for CC's main goals within the editors is the root cause of this problem. The impact is contradiction using CC license when in the same line also stated, "all rights reserved."[7]

Recent Indonesian copyright problems are caused by a lack of understanding of copyright law in Indonesia, but it's much better than in the past. Also, Indonesian people realize the importance of open access journals, given the number of open access publications that big enough to become the world leader. However, there are still many improvements that we need to do for the full implementation of open access in Indonesia.

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